

APPENDIX

JURISDICTION:

UNIFORM VEHICLE CODE (UVC)

General Reference:

This appendix summarizes the UVC's provisions related to speed.
The UVC as revised by the National Committee on Uniform Traffic Laws and Ordinances in 2000

Basis for a Speed Law Violation:

Basic Speed Rule:

No person shall drive a vehicle greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. §11-801

Statutory Speed Limit: See Other below.

55 MPH in locations other than urban districts §11-802
35 MPH in urban districts §11-802

Posted (Maximum) Speed Limit:

I. Based on engineering and traffic investigations, the State may increase or decrease the above speed limits on the State highway system.¹ §11-803
II. Based on engineering and traffic investigations, a local government may increase or decrease the above speed limits on highways under their jurisdiction.² §11-804(a) & (b)
III. Based on an investigation, the State or a local government may establish maximum safe speed limits for any bridge or elevated structure under their jurisdiction. §11-807(b) & (c)

Minimum Speed Rule:

I. No person shall drive a motor vehicle at such a slow speed as to impede the normal and reasonable movement of traffic. §11-805(a)
II. A person, driving at less than the normal speed of traffic, shall drive in the right-hand lane then available for traffic or as close as practicable to the right-hand curb or edge of the roadway. §11-301(b)

Posted (Minimum) Speed Limit:

Based on engineering and traffic investigations, the State or a local government may establish minimum speed limits on the highways under their jurisdiction. §11-805(b)

Other:

No person shall tow a house trailer >45 MPH. §11-807(a)

Adjudication of Speed Law Violations:

Civil/Criminal Adjudication of Violation: Other:

All Speed Law Violations are Misdemeanors. §17-101(a)

Sanctions Following an Adjudication of a Speed Law Violation:

Criminal Sanctions:

Imprisonment:

Term (Day, Month, Years,
Etc.):

1st Offense-None 2nd Offense (within 1 year)-None 3rd or Subsequent

¹The UVC also provides that the State may establish different highway speed limits (1) for different types of vehicles (e.g., persons, who operate certain types of trucks may be required to drive these vehicles at a slower speed than those who operate other types of motor vehicles), (2) at different times of the day, (3) for various weather conditions or (4) for other factors bearing on safe speeds. §11-803

²However, a local government can neither (1) increase the maximum speed limit within an urban district to more than 55 MPH nor (2) decrease the maximum speed limit outside of an urban district to less than 35 MPH. §11-804(a)(2) & (3) In addition, no more than 6 speed limit alterations shall be made per street or highway mile and the difference between adjacent speed limits shall not be more than 10 MPH. §11-804(e) Note: Any alteration of speed limits on State highways or extensions thereof by a local government must be approved by the State. §11-804(d)

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	<u>Offense</u> (within 1 year)-Not more than 6 months §17-101(b)
Mandatory Minimum Term:	None ³
Fine:	
Amount (\$ Range):	<u>1st Offense</u> -Not more than \$200 <u>2nd Offense</u> (within 1 year)-Not more than \$300 <u>3rd or Subsequent Offense</u> (within 1 year)-Not more than \$500 §17-101(b)
Mandatory Min. Fine (\$):	None ³
Other Penalties:	
Traffic School:	The court may order an offender to complete a course in driver improvement. §17-103(a)(3)
Other:	
Licensing Action:	
Type of Licensing Action (Susp/Rev):	Suspension -Based on a Point System Promulgated by Regulations §6-207(a)(2) & (b)
Term of License Withdrawal (Days, Months, Years, etc.):	Not more than 1 year §6-212(a)
Mandatory Minimum Term of Withdrawal:	Possible under a point system
Miscellaneous Sanctions Not Included Elsewhere:	
<u>Other Criminal Actions Related to Speeding:</u>	
<u>Racing on Highway:</u>	Misdemeanor §§11-809 & 17-101(a)
Sanctions:	
Criminal Sanction:	
Imprisonment (Term):	<u>1st Offense</u> - None <u>2nd Offense</u> (within 1 year)- None <u>3rd or Subsequent Offense</u> (within 1 year)-Not more than 6 months §§11-809(d) & 17-101(b)
Mandatory Minimum Term:	None ³
Fine (\$ Range):	<u>1st Offense</u> -Not more than \$200 <u>2nd Offense</u> (within 1 year)-Not more than \$300 <u>3rd or Subsequent Offense</u> (within 1 year)-Not more than \$500 §§11-809(d) & 17-101(b)
Mandatory Minimum Fine:	None ³
<u>Other Criminal Actions Related to Speeding:</u> (continued)	
<u>Racing on Highway:</u> (continued)	
Administrative Licensing Action:	
Licensing Authorized and Type of Action:	Suspension §6-207(a)(8) Suspension is also possible via the point system §6-207(b)

³Unless the UVC specifically provides for a mandatory sanction, the court has the authority to suspend all or part of a fine or incarceration sentence. §17-103(c)

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Length of Term of Licensing Withdrawal:	Not more than 1 year §6-212(a)
Mandatory Action--Minimum Length of License Withdrawal:	Possible under a point system
Other:	<p>I. The court may order an offender to complete a course in driver improvement. §17-103(a)(3)</p> <p>II. Following a conviction for racing on the highway, the registrations of the vehicle or vehicles registered in the name of such person may be suspended. The UVC does not recommend a suspension period. §17-301</p>
<u>Reckless Driving:</u>	Misdemeanor §§11-909 & 17-101(a)
Sanction:	
Criminal:	
Imprisonment (Term):	<u>1st Offense-5 days to 90 days</u> <u>2nd or Subsequent Offense-10 days to 6 months</u> §11-909(b)
Mandatory Minimum Term of Imprisonment:	None ³
Fine (\$ Range):	<u>1st Offense-\$25 to \$500</u> <u>2nd or Subsequent Offense-\$50 to \$500</u> §11-909(b)
Mandatory Minimum Fine:	None ³
Administrative Licensing Actions:	
Type of Licensing Action (Susp/Rev):	Suspension via the point system §6-207(a)(3) & (b)
Length of Term of License Withdrawal Action:	Not more than 1 year §6-212(a)
Mandatory Term of License Withdrawal Action:	Possible under a point system
Other:	The court may order an offender to complete a course in driver improvement. §17-103(a)(3)
<u>Commercial Motor Vehicle (CMV) Operators</u> ⁴ :	
<u>Grounds for Disqualification:</u>	A person is disqualified from operating a CMV if while driving such a
<u>Commercial Motor Vehicle (CMV) Operators:</u> (continued)	

⁴A person who has obtained a commercial driver's license (CDL) and is qualified to operate a commercial motor vehicle. A commercial motor vehicle is defined as a vehicle designed to carry either passengers or property and either has a gross vehicle weight of ≥26,001 lbs., is designed to transport 16 or more persons, or is transporting hazardous materials which requires that the vehicle to be placarded in accordance with U.S. Department of Transportation regulations. §6-500(17)

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Grounds for Disqualification: (continued)

vehicle they either (1) commit 2 "serious traffic violations"⁵ within a 3 year period or (2) commit 3 such violations within a 3 year period. §6-514(e)

Period of Disqualification:

2 serious violations (within 3 years)-Not less than **60 days** 3 serious violations (within 3 years)-Not less than **120 days** §6-514(e)

Period of Mandatory Disqualification:

2 serious violations (within 3 years)-**60 days** 3 serious violations (within 3 years)-**120 days** §6-514(e)

⁵A "serious traffic violation" includes exceeding the speed limit by 15 or more MPH or reckless driving. §6-500(20)(a) & (b)